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09/446,425

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CHRISTOPH CAPELLARO

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EXAMINER

AKPATI, ODAICHE T

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 02/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/446,425

Applicant(s)

CAPELLARO ET AL.

Examiner

Tracey Akpati

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-60 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 28-60 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 28-30, 37, 39-45, 58-60 are rejected under 35 U.S.C. 102(a) as being anticipated by Pfaff (DE19548387 C1).

With respect to Claim 28, the limitation “encoding the digital message to form an encoded message upon employment of an encoding format of a network protocol; subjecting the encoded message to at least one cryptographic process to form a cryptographically processed message; and encoding the cryptographically processed message upon employment of the encoding format of the network protocol” is met by page 11, fifth paragraph and page 12 on the third paragraph of Pfaff. In Pfaff, the steps of cryptographically processing the message and encoding the message are in reverse order, but this would not impact the resultant message and hence cryptographically processing the message and encoding can follow in any order because the same cryptographically encrypted message would still be the resultant.

With respect to Claim 29, the limitation “decoding the encoded, cryptographically processed message according to the encoding format of the network protocol to form a decoded, cryptographically processed message; subjecting the decoded, cryptographically processed message to a second cryptographic process inverse relative to an at least one first cryptographic

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process, which previously encoded an original digital message, to form an inversely cryptographically processed message; and decoding the inversely cryptographically processed message according to the encoding format of the network protocol” is met by page 13, first paragraph and page 14, third and fourth paragraphs of Pfaff.

With respect to Claim 30, the limitation “encoding the digital message, in the first computer unit, to form an encoded message upon employment of an encoding format of a network protocol” is met on page 11, fifth paragraph; and “subjecting the encoded message, in the first computer unit, to at least one first cryptographic process to form a cryptographically processed message; encoding the cryptographically processed message, in the first computer unit, upon employment of the encoding format of the network protocol to form an encoded, cryptographically processed message; transmitting the encoded, cryptographically processed message from the first computer unit to the second computer unit” is met by page 12, paragraph 3.

Further limitation of “decoding the encoded, cryptographically processed message, in the second computer unit, according to the encoding format of the network protocol to form a decoded, cryptographically processed message” is met on page 13, paragraph 1; and “subjecting the decoded, cryptographically processed message, in the second computer unit, to a second cryptographic process inverse relative to the at least one first cryptographic process to form an inversely cryptographically processed message; and decoding the inversely cryptographically processed message, in the second computer unit, into the digital message according to the encoding format of the network protocol” is met on page 14, paragraphs 3 and 4..

With respect to Claim 37, the limitation “employing a get request as the fetch message; and forming a get response upon the encoding of the requested, cryptographically processed reply message” is met by Fig. 4.

With respect to Claim 39, the limitation “means foreencoding the digital message upon employment of an encoding format of a network protocol to form an encoded message; means for cryptographically processing the encoded message to form a cryptographically processed message; and means for encoding the cryptographically processed message upon employment of the encoding format of the network protocol” is met by Fig. 4 and on page 11, paragraph 5 and page 12, paragraph 3.

With respect to Claim 40, the limitation “means for receiving the encoded, cryptographically processed message from a first computer unit; means for decoding the encoded, cryptographically processed message according to the encoding format of the network protocol to form a decoded, cryptographically processed message; means for inversely cryptographically processing the decoded, cryptographically processed message to form an inversely cryptographically processed message; and means for decoding the inversely cryptographically processed message according to the encoding format of the network protocol” is met by Fig. 4 and page 13, paragraph 1 and page 14, paragraphs 3 and 4.

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With respect to Claim 41, the limitation “a first computer unit, the first computer unit including means for encoding the digital message upon employment of an encoding format of a network protocol to form an encoded message, means for cryptographically processing the encoded message to form a cryptographically processed message, means for encoding the cryptographically processed message upon employment of the encoding format of the network protocol to form an encoded, cryptographically processed message, and means for sending the encoded cryptographically processed message from the first computer unit to the second computer unit” is met on Fig. 4; and “a second computer unit, the second computer unit including means for receiving the encoded cryptographically processed message from the first computer unit, means for decoding the encoded cryptographically processed message according to the encoding format of the network protocol to form a decoded cryptographically processed message, means for inversely cryptographically processing the decoded cryptographically processed message to form an inversely cryptographically processed message, and means for decoding the inversely cryptographically processed message according to the encoding format of the network protocol” is met on Fig. 4.

With respect to Claim 42, the limitation “wherein the means for encoding the digital message is further provided as the means for encoding the cryptographically processed message” is met by page 11, paragraph 5, page 12, paragraph 3 and on Fig. 13.

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With respect to Claim 43, the limitation of “wherein the means for encoding the digital message is further provided as the means for encoding the cryptographically processed message” is met by page 11, paragraph 5, page 12, paragraph 3 and on Fig. 13.

With respect to Claim 44, the limitation “the means for decoding the encoded, cryptographically processed message is further provided as the means for decoding the inversely cryptographically processed message” is met by page 13, paragraph 1, page 14, paragraphs 3 and 4 and on Fig. 15.

With respect to Claim 45, the limitation “wherein the means for decoding the encoded, cryptographically processed message is further provided as the means for decoding the inversely cryptographically processed message” is met by page 13, paragraph 1, page 14, paragraphs 3 and 4 and on Fig. 25.

With respect to Claim 58, the limitation “means for encoding the digital message upon employment of an encoding format of a network protocol to form an encoded message; means for cryptographically processing the encoded message to form a cryptographically processed message; and means for encoding the cryptographically processed message upon employment of the encoding format of the network protocol” is met by page 11, paragraph 5, page 12, paragraph 3 and in Fig. 3 and 4.

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With respect to Claim 59, the limitation “means for receiving the encoded, cryptographically processed message from a first computer, unit; means for decoding the encoded, cryptographically processed message according to the encoding format of the network protocol to form a decoded, cryptographically processed message; means for inversely cryptographically processing the decoded, cryptographically processed message to form an inversely cryptographically processed message; and means for decoding the inversely cryptographically processed message according to the encoding format of the network protocol” is met in page 13, paragraph 1, page 14, paragraphs 3 and 4 and in Fig. 3 and 4.

With respect to Claim 60, the limitation “a first computer unit, the first computer unit including means for encoding the digital message upon employment of an encoding format of a network protocol to form an encoded message, means for cryptographically processing the encoded message to form a cryptographically processed message, means for encoding the cryptographically processed message upon employment of the encoding format of the network protocol to form an encoded, cryptographically processed message, and means for sending the encoded cryptographically processed message from the first computer unit to the second computer unit” is met page 11, paragraph 5, page 12, paragraph 3 and in Fig. 3 and 4; and “a second computer unit, the second computer unit including means for receiving the encoded cryptographically processed message from the first computer unit, means for decoding the encoded cryptographically processed message according to the encoding format of the network protocol to form a decoded cryptographically processed message, means for inversely cryptographically processing the decoded cryptographically processed message to form an

inversely cryptographically processed message, and means for decoding the inversely cryptographically processed message according to the encoding format of the network protocol” is met in page 13, paragraph 1, page 14, paragraphs 3 and 4 and in Fig. 3 and 4.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 31-36, 38, 46-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pfaff (DE19548387 C1) in view of Fujino et al (5651006).

With respect to Claim 31, all the limitation is met by Pfaff except the limitation disclosed below.

The limitation “including a request for implementing a prescribable action in the digital message; implementing the prescribable action in the second computer unit to obtain a result of the prescribable action; and sending the result of the prescribable action from the second computer unit to the first computer unit in a reply message” is met by Fujino et al on column 51-67 and on column 7, lines 1-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because a system that initiates the formation and sending of a request message to the other computer is necessary for the message exchange process to begin between both the first and second computer.

With respect to Claim 32, the limitation “encoding the reply message in the second computer unit according to the encoding format of the network protocol to form an encoded reply message” is met by the second limitation of Claim 4 of Pfaff; and “subjecting the encoded reply message to at least one cryptographic process in the second computer unit to form a cryptographically processed reply message” is met by the fifth limitation of Claim 4 of Pfaff; and “encoding a fetch message in the first computer unit according to the encoding format of the network protocol, wherein the cryptographically processed reply message is requested from the second computer unit with the fetch message; transmitting the fetch message from the first computer unit to the second computer unit; receiving the fetch message by the second computer unit” is met by Claim 1 and Claim 2, first limitation of Pfaff. Further limitation of “encoding the cryptographically processed reply message according to the encoding format of the network protocol to form an encoded, cryptographically processed reply message” is met by the fifth limitation of Claim 4 of Pfaff; and “transmitting the encoded, cryptographically processed reply message from the second computer unit to the first computer unit” is met by the last limitations of claim 4 of Pfaff. Pfaff however does not teach storing of the message nor does he teach the implementation of a prescribable action. This is met by Fujino as shown below.

The limitation “including a request for implementing a prescribable action in the digital message; implementing the prescribable action in the second computer unit to obtain a result of the prescribable action; forming a reply message which contains the result of the prescribable action in the second computer unit” is met by Fujino et al on column 6, lines 51-67 and on

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column 7, lines 1-12. Further limitation of "storing the cryptographically processed reply message in the second computer unit" is met by Fujino et al on column 22, lines 9-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because storing of the message allows for later retrieval.

With respect to Claim 33, the limitation "encoding the reply message in the second computer unit according to the encoding format of the network protocol to form an encoded reply message" is met by the second limitation of Claim 4 of Pfaff; and "subjecting the encoded reply message to at least one cryptographic process in the second computer unit to form a cryptographically processed reply message" is met by the fifth limitation of Claim 4 of Pfaff; and "encoding the cryptographically processed reply message according to the encoding format of the network protocol to form an encoded, cryptographically processed reply message" is met by the fifth limitation of Claim 4 of Pfaff; and "transmitting the encoded, cryptographically processed reply message from the second computer unit to the first computer unit" is met by the last limitation of Pfaff. Pfaff however does not disclose the implementation of a prescribable action. This is met by Fujino below.

The limitation "including a request for implementing a prescribable action in the digital message; implementing the prescribable action in the second computer unit to obtain a result of the prescribable action; forming a reply message which contains the result of the prescribable action in the second computer unit" is met by column 6, lines 51-67 and on column 7, lines 1-12 by Fujino et al.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because a system that initiates the formation and sending of a request message to the other computer is necessary for the message exchange process to begin between both the first and second computer.

With respect to Claim 34, all the limitation is met by Pfaff except the following limitation. The limitation "wherein the cryptographically processed reply message is stored in a management information base in the second computer unit" is met by Fujino et al on column 3, lines 19-23.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because storage of a message in the management information base is an essential part of an SNMP protocol method step.

With respect to Claim 35, all the limitation is met by Pfaff except the following limitation. The limitation "wherein the network protocol is a simple network management protocol version 1" is met by Fujino et al on column 3, lines 19-23.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because SNMP is a well known network management protocol.

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With respect to Claim 36, the limitation "forming a set request in the first computer unit upon encoding the cryptographically processed message; and transmitting the set request from the first computer unit to the second computer unit" is met by Fig. 4 of Pfaff.

With respect to Claim 38, all the limitation is met by Pfaff except the following limitation. The limitation "transmitting as the prescribable action at least one of an information query and an information indication of the second computer unit" is met by Fujino et al on column 6, lines 51-67 and on column 7, lines 1-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because an information query is needed to initiate the communication between the first and second computer.

With respect to Claim 46, all the limitation is met by Pfaff except the following limitation. The limitation "means for implementing the prescribable action to obtain a result of the prescribable action, the means for implementing being provided in the second computer unit; and means for sending the result of the prescribable action to the first computer unit, the means for sending being provided in the second computer unit" is met by Fujino et al on column 6, lines 51-67 and on column 7, lines 1-12 and in Fig. 2 and 3.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because a

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prescribable action is needed to initiate the exchange of information between the first and second computer.

With respect to Claim 47, Pfaff meets the limitation “means for encoding the reply message according to the encoding format of the network protocol to form an encoded reply message, the means for encoding the reply message being provided in the second computer unit” in the second limitation of Claim 4; and “means for processing the encoded reply message with at least one cryptographic process to form a cryptographically processed encoded reply message, the means for processing the encoded reply message being provided in the second computer unit” in the fifth limitation of Claim 4; and “means for sending the fetch message from the first computer unit to the second computer unit, the means for sending the fetch message being provided in the first computer unit; means for receiving the fetch message, the means for receiving the fetch message being provided in the second computer unit” in Claim 1 and Claim 2; and “means for encoding the cryptographically processed reply message requested in the fetch message according to the encoding format of the network protocol, the means for encoding the cryptographically processed reply message being provided in the second computer unit” in the fifth limitation of Claim 4; and “means for sending the encoded, cryptographically processed reply message from the second computer unit to the first computer unit, the means for sending the encoded, cryptographically processed reply message being provided in the second computer unit” in the last limitation of Claim 4. Pfaff however does not show the limitation disclosed below.

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Fujino et al meets the limitation of "means for implementing the prescribable action to obtain a result; and the means for implementing being provided in the second computer unit" and "means for forming a reply message that contains the result of the prescribable action, the means for forming a reply message being provided in the second computer unit" on column 6, lines 51-67 and on column 7, lines 1-12. Fujino et al further meets the limitation of "means for storing the cryptographically processed encoded reply message, the means for storing being provided in the second computer unit" on column 22, lines 9-12; and "means for forming and encoding a fetch message according to the encoding format of the network protocol wherein the cryptographically processed encoded reply message is requested from the second computer unit, the means for forming and encoding a fetch message being provided in the first computer unit" on column 6, lines 51-67 and on column 7, lines 1-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because a prescribable action is needed to initiate the exchange of information between the first and second computer.

With respect to Claim 48, Pfaff meets the limitation of "means for encoding the reply message according to the encoding format of the network protocol to form an encoded reply message, the means for encoding the reply message being provided in the second computer unit" in the second limitation of claim 4; and "means for processing the encoded reply message with at least one cryptographic process to form a cryptographically processed encoded reply message, the means for processing the encoded reply message being provided in the second computer

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unit” in the fifth limitation of Claim 4; and “means for encoding the cryptographically processed encoded reply message according to the encoding format of the network protocol to form an encoded, cryptographically processed encoded reply message, the means for encoding the cryptographically processed encoded reply message being provided in the second computer unit” in the last limitation of Claim 4; and “means for sending the encoded, cryptographically processed encoded reply message from the second computer unit to the first computer unit, the means for sending the encoded, cryptographically processed encoded reply message being provided in the second computer unit” in the last limitation of Claim 4. Pfaff does not disclose a prescribable action. This is disclosed by Fujino et al as shown below.

The limitation of “means for forming a reply message that contains the result of the prescribable action, the means for forming the reply message being provided in the second computer unit; means for implementing the prescribable action to obtain a result of the prescribable action, the means for implementing the prescribable action being provided in the second computer unit” is met by Fujino et al on column 6, lines 51-67 and on column 7, lines 1-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because a prescribable action is needed to initiate the exchange of information between the first and second computer.

With respect to Claim 49, all the limitation is met by Pfaff except the following limitation. The limitation of "wherein the cryptographically processed reply message is stored in a management information base" is met by Fujino et al on column 3, lines 19-23.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because storage of a message in the management information base is an essential part of an SNMP protocol method step.

With respect to Claims 50, 51 and 52 all the limitation is met by Pfaff except the following limitation. The limitation of "wherein the network protocol is a simple network management protocol version 1" is met by Fujino et al in the abstract.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because SNMP is a well known network management protocol.

With respect to Claim 53 and 54, Pfaff meets the limitation of "wherein the means for encoding the cryptographically processed message is configured such that a set request is formed upon the encoding of the cryptographically processed message" in Fig. 4. Pfaff however does not show the network protocol as being SNMP. This is however revealed by Fujino et al in the abstract.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because SNMP is a well known network management protocol.

With respect to Claim 55, the limitation “wherein the means for forming and encoding the fetch message is configured such that a get request is formed, and wherein the means for encoding the cryptographically processed reply message requested in the fetch message is configured such that a get response is formed” is met by Pfaff in Fig. 4.

With respect to Claim 56, all the limitation is met by Pfaff except the following limitation. The limitation of “wherein at least one of an information query and an information particular of the computer unit is provided as the prescribable action” is met by Fujino et al on column 6, lines 51-67 and on column 7, lines 1-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fujino et al within the system of Pfaff because an information query is needed to initiate the communication between the first and second computer.

With respect to Claim 57, the limitation of “wherein the means for cryptographically processing the encoded message, the means for encoding the cryptographically processed message and the means for sending the encoded cryptographically processed message are formed together as a first proxy agent, and wherein the means for receiving the encoded

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cryptographically processed message, the means for decoding the encoded cryptographically processed message and the means for inversely cryptographically processing the decoded cryptographically processed message are formed together as a second proxy agent" is met by Pfaff in Fig. 4 and 5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tracey Akpati whose telephone number is 703-305-7820. The examiner can normally be reached on 8.30am-6.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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